

On April 12, 1921, no claimant having appeared for the property, judgment of the court was entered declaring the product to be misbranded and ordering its destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10153. Misbranding of Hall's catarrh medicine. U. S. * * * v. One Gross Bottles * * * Hall's Catarrh Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14068. Inv. No. 21078. S. No. E-2938.)

On or about December 16, 1920, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and subsequently, an amendment to the said libel, praying the seizure and condemnation of one gross bottles of Hall's catarrh medicine, remaining unsold in the original packages at Savannah, Ga., alleging that the article had been shipped by F. J. Cheney & Co., Toledo, Ohio, October 11, 1920, and transported from the State of Ohio into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, bitter plant extractives, sugar, alcohol, and water, flavored with cardamom.

The allegations in the libel, as amended, with reference to the false and fraudulent statements as to the curative and therapeutic effect of the said article, appearing in the labeling thereof, are substantially the same as those set forth in detail in Notice of Judgment No. 10065, to which reference is made.

On December 20, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10154. Adulteration of canned water loganberries. U. S. * * * v. 150 Cases of Water Loganberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14209. I. S. No. 3442-t. S. No. C-2697.)

On January 17, 1921, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases of water loganberries, remaining unsold in the original unbroken packages at Deadwood, S. D., alleging that the article had been shipped by Puyallup & Sumner Fruit Growers Canning Co., Puyallup, Wash., on or about October 22, 1920, and transported from the State of Washington into the State of South Dakota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Famous Sumner Brand Water Loganberries * * * Grown and Packed By The Puyallup & Sumner Fruit Growers Ass'n. Canneries At Sumner And Puyallup, Washington."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On September 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10155. Misbranding of cocoa. U. S. * * * v. Lionel Edward Samuels (National Cocoa Mills). Pleas of guilty. Fines, \$40. (F. & D. Nos. 14327, 14334. I. S. Nos. 7686-r, 12836-r.)

On July 5, 1921, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against Lionel Edward Samuels, trading as the National Cocoa Mills, New York, N. Y., alleging shipment by said defendant, on or about September 19 and November 23, 1918, respectively, in violation of the Food and Drugs Act, as amended, from the State of New York into the States of Rhode Island and Michigan, of quantities of cocoa which was misbranded. The article was labeled in part: "My Own Pure Cocoa. * * * National Cocoa Mills, New York City * * *."

Misbranding of the article was alleged in the informations for the reason that the statement, to wit, "Net Weight $\frac{1}{2}$ Lb.," borne on the packages containing the article, regarding the article, was false and misleading in that it repre-